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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,919	03/01/2002	Larry Lawson Jones	OS-16/2376P	3793
29141	7590	09/28/2005	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			ZIA, SYED	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/683,919

Applicant(s)

JONES ET AL.

Examiner

Syed Zia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/02, 11/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to application filed on March 01, 2002. Original application contained Claims 1-21. Therefore, presently pending claims are 1- 21.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Abbott et al. (U. S. Patent 6,671,808).

1. Regarding Claim 1 Abbott teach and describe a device for allowing secure identification of an individual when accessing information (Fig.2, and 4) comprising: a serial bus port; a controller coupled to the serial bus port; and a storage medium coupled to the controller; the storage medium including security information which can be accessed by the controller (col.3 line 64 to col.4 line 7, col.4 line 50 to line 62, col.5 line 12 to line 15, col.5 line 55 to col.6 line

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5, and col.9 line 50 to line 65).

2. Regarding Claim 11 Abbott teach and describe a system for allowing for secure identification of an individual when accessing information (Fig.2, and 4) comprising: a central hub; a plurality of key touchpoints coupled to the central hub; and at least one device coupled to at least one of a plurality of key touchpoints, the at least one device comprising a serial port; a controller coupled to the serial port; and a storage medium coupled to the controller; the storage medium including security information which can be accessed by the controller (col.3 line 64 to col.4 line 7, col.4 line 50 to line 62, col.5 line 12 to line 15, col.5 line 55 to col.6 line 5, and col.9 line 50 to line 65).

3. Claims 2-4, 10, 12-15, and 21 are rejected applied as above rejecting Claims 1, and 11. Furthermore, Abbott teach and describe a system and method wherein

As per Claim 2, the serial bus port comprises any combination of a firewire port, USB port or an infiniband port (col.3 line 26 to line 30, col.5 line 12 to line 14, Fig.1, Item 130, Fig.4 Item 402))

As per Claim 3, the storage medium comprises a memory (Fig. 2A, col.4 line 50 to line 62).

As per Claim 4, the security information comprises a plurality of levels (col.3 line 26 to line 39, and col.7 line 38 to line 59).

As per Claim 10, the security information can be enhanced or modified by downloading data to the device (col.8 line 20 to line 33, and col.10 line 6 to line 11).

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As per Claim 12, the serial bus port comprises any combination of a firewire port, USB port or an infiniband port (col.3 line 26 to line 30, col.5 line 12 to line 14, Fig.1, Item 130, Fig.4 Item 402).

As per Claim 13, each of the last one touchpoints comprises a personal computer.

As per Claim 14, the storage medium comprises a memory (Fig. 2A, col.4 line 50 to line 62).

As per Claim 15, the security information comprises a plurality of levels (col.3 line 26 to line 39, and col.7 line 38 to line 59).

As per Claim 21, the security information within a device can be enhanced or modified by downloading data to the device (col.8 line 20 to line 33, and col.10 line 6 to line 11).

4. Claims 5-9, 10, and 16-20 are rejected applied as above rejecting Claims 4, and 15.

Furthermore, Abbott teach and describe a system and method wherein:

As per Claim 5, the plurality of levels comprises any combination of a level for providing the identity of the individual; a level for identifying a unique identifier for the device; and a level for indicating where the device has been used (col.3 line 26 to line 39, col.6 line 50 to line 60, col.7 line 38 to line 59, and col.8 line 7 to line 20).

As per Claim 6, the plurality of levels comprises any combination of a first level for providing the identity of the individual; a second level for identifying a unique identifier for the device; and a third level for indicating where the device has been used (col.3 line 26 to line 39, col.6 line 41 to line 60, and col.7 line 38 to line 59).

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As per Claim 7, the identity of the individual being provided access is via a password (col.3 line 26 to line 39).

As per Claim 8, the identity of the individual is provided via biometric information (col.3 line 45 to line 52).

As per Claim 9, the plurality of levels are tamper proof (col.5 line 47 to line 50).

As per Claim 16, the plurality of levels comprises any combination of a level for providing the identity of the individual; a level for identifying a unique identifier for the device; and a level for indicating where the device has been used (col.3 line 26 to line 39, col.6 line 50 to line 60, col.7 line 38 to line 59, and col.8 line 7 to line 20).

As per Claim 17, the plurality of levels comprises a first level for providing the identity of the individual; a second level for identifying a unique identifier for the device; and a third level for indicating where the device has been used (col.3 line 26 to line 39, col.6 line 41 to line 60, and col.7 line 38 to line 59).

As per Claim 18, the identity of the individual is provided access via a password (col.3 line 26 to line 39).

As per Claim 19, the identity of the individual is provided via biometric information (col.3 line 45 to line 52).

As per Claim 20, the plurality of levels are tamper proof (col.5 line 47 to line 50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SZ

September 09, 2005

